

### REMARKS / ARGUMENTS

Reconsideration of this Patent Application is respectfully requested in view of the following remarks.

The Examiner rejected claims 1-6 and 8 under 35 U.S.C. §102 as being anticipated by *Lord et al.* Claim 7 is allowed.

According to the Examiner, *Lord* discloses an inlet (125) of tubular form (fig. 2) dividing the reactor into a heating zone (118) and above that a reactor zone (122). This is not correct. The gas distribution devices 112, 115, 143 are at the bottom of the reactor (see Fig. 6). Also the beads (102) are at the bottom of the reactor. The heater (129) is also at the bottom of the reactor. So the reaction takes place at the bottom of the reactor, too. This is affirmed in column 26, lines 63 to 66. There is said that the incoming gases 113, 115 and 143 are heated and reacted with the beads. Thus, in the lower part of the reactor (below inlet 125) there are the beads, the reaction gases and the heater. So the reaction takes place in that area, too.

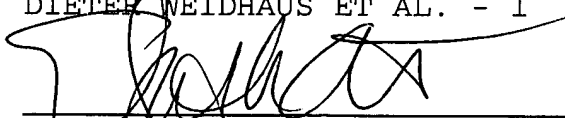
According to column 35 line 56 to 58 of *Lord*, the inlet 125 addresses the fine control of the particle size distribution in the reactor. This has nothing to do with the division of the reactor in a heating and a reaction zone as claimed in claim 1. This difference between the reactor of *Lord* and the reactor of the present invention is obvious if Fig. 2 of *Lord* is compared

with Fig. 1 of the present invention. According to Fig. 1 of the present invention, the heating by the heater 14 takes place in the lower part of the reactor, whereas the reaction gas 7 is given into the reactor through the inlet 6 into the area above the heating zone. In the heating zone, there are only the fluidizing gas and the silicon beads which are fluidized by the fluidizing gas and heated by the heater. In the area of the reaction zone (above the heating zone), the hot fluidized Si beads react with the reaction gas present only in this area. According to Fig. 2 or Fig. 6 of *Lord*, the reaction gas as well as the Si-beads as well as the heating device are present in the lower part of the reactor. Thus, the reaction already takes place in the lower part of the reactor. Moreover, the heater 129 is from the top of the reactor to the bottom of the reactor (see Fig. 2). So the heater is also present above inlet 125, which also shows that inlet 125 does not divide the reactor into a heating and a reaction zone. According to *Lord*, heating and reaction take place throughout the whole reactor.

Thus, *Lord* does not describe a fluidized bed reactor having the heating zone and reaction zone as claimed in claims 1-6 and 8. Accordingly, Applicants submit that claims 1-6 and 8 are patentable over *Lord*. A prompt notification of allowability is respectfully requested.

Applicants also enclose herewith an Information Disclosure Statement.

Respectfully submitted,  
DIETER WEIDHAUS ET AL. - 1



COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Allison C. Collard, Reg.No.22,532  
Elizabeth C. Richter, Reg.No.35,103  
Frederick J. Dorchak, Reg.No.29,298  
Attorneys for Applicants

ECR:jc

Enclosure: Information Disclosure Statement

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2005.



Ingrid Mittendorf